Majority Caucus • Jim Nussle, Chairman

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Volume 2, No. 26

Summarizing budgetary issues in legislation scheduled for the House floor

23 September 2002

Week of 23 September 2002

SUSPENSION CALENDAR

1) Recognizing the 100th Anniversary of the 4-H Youth Development **Program** (H.Con.Res. 472).



This resolution has no budgetary implications.

2) To Amend the International Organizations Immunities Act to Provide for the Applicability of That Act to the European Central Bank (H.R. 3656).



This bill amends the International Organizations Immunities Act to extend its provisions to the European Central Bank. The provisions are extended in the same manner, to the same extent, and subject to the same conditions, as they would be to a public international organization in which the United States participates under any treaty authorizing such participation or making an appropriation for such participation. The Congressional Budget Office [CBO] estimates that implementing H.R. 3656 will have no budgetary effect. Enactment of this bill will not violate the Congressional Budget Act.

3) Expressing the sense of Congress Regarding American Gold Star Mothers, Incorporated, Blue Star Mothers of America, Incorporated, the Service Flag, and the Service Lapel Button. (H.Con.Res. 301). This resolution has no budgetary implications.



4) **Timpanogos Interagency Land Exchange Act of 2002** (S. 1240). This bill authorizes the Secretary of Agriculture to exchange certain



Federal lands in Utah for privately owned lands in the State. Cash equalization payments are authorized if the land values are not equal. The land to be exchanged currently generates less than \$1,000 in offsetting receipts annually. Because offsetting receipts are a credit against direct spending, this bill increases direct spending by less than \$1,000 a year. The manager's amendment also includes the text of H.R. 3928 and H.R. 5097. H.R. 3928 directs the Secretary of the Interior to make a grant to the University of Utah in Salt Lake City, UT, to pay the Federal share of the costs of construction of a new facility for the University of Utah Museum of Natural History, including the design, planning, furnishing, and equipping of the Museum. A sum of \$15 million is authorized to be appropriated for this grant. H.R. 5097 amends the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Act of 1992 to expand the boundaries of the park to include two additional areas. H.R. 5097 does not increase direct spending – spending not subject to appropriation – or reduce revenue.

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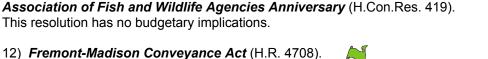
PLEASE NOTE: This document addresses budgetary issues only. It should not be taken to express support or opposition on any other grounds. A green flag indicates no serious budgetary or budget compliance concerns. A yellow flag indicates moderate or potential problems. A red flag indicates serious problems. Note: Floor schedules and legislative details are subject to change after publication.

This document was prepared by the majority staff of the House Committee on the Budget. It has not been approved by the full committee and may not reflect the views of all the committee's members.

- 5) Mni Wiconi Rural Water Supply Project Reauthorization Act (H.R. 4638). This bill reauthorizes the Mni Wiconi Rural Water Supply Project and increases the amount authorized to be appropriated for the project by \$58.8 million (in 1997 dollars). The completion date for the project is extended from 2003 to 2008. This bill does not increase direct spending or reduce revenue.
- 6) A Bill to Ratify an Agreement Between the Aleut Corporation and the United States of America to Exchange Land Rights Received Under the Alaska Native Claims Settlement Act for Certain Land Interests on Adak Island, and for Other Purposes (S. 1325). This bill ratifies an agreement between the Federal Government and the Aleut Corporation. Under the agreement, the Federal Government would convey to the corporation about 47,000 acres on Adrak Island in Alaska. The bill does not increase direct spending or reduce revenue.
- 7) Vicksburg National Military Park Boundary Modification Act of 2002 (S. 1175). This bill authorizes the Department of the Interior to acquire Pemberton's Headquarters, and an additional 1 acre for parking in Vicksburg, MS. The property is to be included in the Vicksburg National Military Park. The bill does not increase direct spending or reduce revenue.
- 8) To Extend the Periods of Authorization for the Secretary of the Interior to Implement Capital Construction Projects Associated With the Endangered Fish Recovery Implementation Programs for the Upper Colorado and San Juan River Basins (H.R. 5099). This bill extends the authority of the Secretary of the Interior to implement capital construction projects associated with the endangered fish recovery implementation programs for the Upper Colorado and San Juan River Basins, A CBO estimate was not available at the time of publication. The Budget Committee believes, however, that the direct spending increase, if any, caused by this bill will fit within the allocation of the Committee on Resources.
- 9) To Direct the Secretary of Energy to Convey a Parcel of Land at the Facility of the Southwestern Power Administration in Tupelo, Oklahoma (H.R. 5109). The bill directs the Secretary of Energy to give to Rural Enterprises of Oklahoma, Inc. 6.3 acres of Federal land held by the Southwestern Power Administration in Tupelo, OK for use in economic development within the service area of the Tri-County Indian Nations Community Development Corporation. This land currently generates \$1 a year in offsetting receipts (a credit against direct spending). The bill has no significant impact on direct spending and does not affect revenue.
- 10) George Washington Birthplace National Monument Boundary Adjustment Act (H.R. 3449).

This bill expands the boundary of the George Washington Birthplace National Monument in Virginia to include an adjacent 115-acre parcel. The National Park Service is authorized to acquire the land by donation, purchase, or exchange. CBO estimates that \$1 million to \$2 million in appropriated funds would be necessary to purchase the land. The bill does not increase direct spending or reduce revenue.

11) Recognizing the 100th Anniversary of the Founding of the International Association of Fish and Wildlife Agencies Anniversary (H.Con.Res. 419).



This bill directs the Secretary of the Interior to convey certain components of a water distribution and drainage system to the Fremont-Madison Irrigation District in Idaho by September 2003. This bill accelerates payments from the district for the cost of constructing water wells. As a result, this bill increases offsetting receipts (decreases direct spending) in 2003 by about \$135,000. This savings in 2003 is offset by a corresponding loss of expected payments over the 2003-2030 period. The manager's amendment also includes the text of H.R. 5039, H.R. 3223, and H.R. 4910.

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Budget Week Page 2 H.R. 5039 directs the Secretary of the Interior to transfer title to the lands and facilities that make up the Humboldt Project to the Pershing County Water Conservation District, the State of Nevada, and Pershing and Lander counties. As a condition of conveyance, the district, the State, and the counties will pay the Federal Government the net present value of miscellaneous receipts associated with the lands and facilities they will receive. As a result, CBO estimates that the net impact on direct spending to be negligible. H.R. 3223 requires the Secretary of the Interior, through the Bureau of Reclamation, to plan, design, and construct water supply, delivery, and wastewater collection systems on the Jicarilla Apache Reservation in New Mexico. In addition, the bill requires the Secretary to turn over title to the system to the tribe, who would assume responsibility for operating, maintaining, and replacing it. H.R. 3223 has no effect on direct spending or revenue. H.R. 4910 authorizes the Secretary of the Interior, through the Bureau of Reclamation, to extend the repayment period of the Tom Green County Water Control and Improvement District in Texas for reimbursable construction costs of the San Angelo project from 40 years to 50 years. CBO estimates that this bill will reduce offsetting receipts (a form of direct spending) by \$70,000 annually over the next 10 years. This increase in direct spending would be recouped over the 2019-2031 period.

13) West Butte Road Right-of-Way Act (H.R. 4953).



This bill directs the Secretary of the Interior to grant to Deschutes and Crook Counties, OR, rights-of-way to the West Butte Road, which was constructed in 1968 by the Bureau of Land Management through lands owned by the agency. In exchange, the counties would relinquish right-of-way in the George Millican Road. The bill does not increase direct spending or reduce revenue.

14) Burnt, Malheur, Owyhee, and Powder River Basin Water Optimization Feasibility Study Act of 2002 (S. 238).



This bill directs the Secretary of the Interior to conduct feasibility studies for optimizing water use in the Burnt River, Malheur River, Owyhee River, and Powder River basins in Oregon. The bill does not increase direct spending or reduce revenue.

15) Santa Monica Mountains National Recreation Area Boundary Adjustment **Act** (H.R. 640).



This bill expands the Santa Monica Mountains National Recreation Area in California to include about 3,500 acres of nonfederal land. The Federal Government may only acquire the land through donation or by purchase with donated funds. The bill does not increase direct spending or reduce revenue.

16) Los Padres National Forest Land Exchange Act of 2002 (H.R. 4917).



This bill authorizes a land exchange between the United Water Conservation District of California and the Secretary of Agriculture. The district will exchange 340 acres to the Secretary, who would in return convey 420 acres of federal lands within the Los Padres National Forest in California. Cash equalization payments are authorized if the value of the lands are not equal. CBO estimates that the Forest Service would receive about \$100,000 in a cash equalization payment that would be spent in the same year for purposes authorized by the bill. As a result, the net change in direct spending is estimated to be negligible.

17) A Bill to Direct the Secretary of Agriculture to Convey Certain Land in the Lake Tahoe Basin Management Unit, Nevada, to the Secretary of the Interior, in Trust for the Washoe Indian Tribe of Nevada and California (S. 691).



This bill directs the Secretary of the Agriculture to convey, without consideration, about 24 acres of national forest system land within the Lake Tahoe Basin Management Unit to the Secretary of the Interior, to be taken into trust on behalf of the Washoe Indian Tribe of Nevada and California. According to the Forest Service, the lands to be conveyed generate no receipts. The manager's amendment also includes the text of the House-passed versions of H.R. 451 and H.R. 3909. H.R. 451 adjusts the boundaries of the Mount Nebo Wilderness Area, located in Utah and administered by the Forest Service. The bill removes from the wilderness area about 279 acres of Federal lands that include water systems and facilities that

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Budget Week Page 3 cannot adequately be maintained because they are within the wilderness area. To offset the removal of those lands, H.R. 451 adds about 293 acres of other Federal lands administered by the Forest Service to the Mount Nebo Wilderness Area, subject to valid existing rights. H.R. 451 also corrects the boundary of the wilderness area to exclude about 21 acres of privately owned land. The Forest Service says none of the lands currently generates significant receipts. H.R. 3909 designates 15 acres of land near Huntsville, UT as a nature preserve. H.R. 3909 authorizes the Federal Government to contract with the Gunn McKay Nature Preserve Foundation to manage the land. The land currently generates no receipts; therefore, designating the land as a nature preserve is not expected to result in a loss of receipts. The manager's amendment is expected to have no significant impact on direct spending and no impact on revenue.

18) A Bill to Direct the Secretary of the Interior to Conduct a Special Resource Study to Determine the National Significance of the Miami Circle Site in the State of Florida as Well as the Suitability and Feasibility of its Inclusion in the National Park System as Part of Biscayne National Park, and for Other Purposes (S. 1894).

This bill directs the Secretary of the Interior to conduct a special resource study of the Miami Circle, a recently discovered archeological site in Miami, FL. The study will determine the national significance of the site as well as the feasibility and suitability of including it within Biscayne National Park. The bill authorizes the appropriation of whatever sums are necessary to conduct the study, and it requires the Secretary to report findings and recommendations within 1 year and 30 days of receiving funds. CBO estimates that the study would require \$150,000 to be appropriated in fiscal year 2003 to be completed. The bill does not increase direct spending or reduce revenue.

19) Victims of Terrorist Attacks Memorial Act (H.R. 2982). This bill creates a 13-member Victims of Terrorism Memorial Advisory Board. The board is authorized to establish a national memorial to victims of terrorism on Federal property in the District of Columbia. The bill does not increase direct spending or reduce revenue.

20) Allegheny Portage Railroad National Historic Site Boundary Revision Act (H.R. 4682). This bill makes small changes to the boundary of the Allegheny Portage Railroad National Historic Site in Pennsylvania and authorizes the National Park Service to exchange about 108 acres of park land for 98 acres of private property. Cash equalization payments are authorized if the value of the lands are not equal. CBO estimates that the Federal Government may receive a cash equalization payment of less than \$100,000. This would be scored as a receipt, which offsets direct spending.

21) To Clarify the Tax Treatment of Bonds and Other Obligations Issued by the Government of American Samoa (H.R. 1448).



This bill amends current law to make bonds issued by the government of American Samoa exempt from State, local, and territorial income tax. The bill does not affect Federal taxes.

22) To Amend the Omnibus Parks and Public Lands Management Act of 1996 to Provide Adequate Funding Authorization for the Vancouver National Historic Reserve (H.R. 2099).



This bill increases the authorization of appropriations for development of the Vancouver National Historic Reserve in the State of Washington to \$15 million from \$5 million. Because the initial \$5 million authorization was exceeded by \$1 million in fiscal year 2002, the bill only authorizes the appropriation of an additional \$9 million. The bill does not increase direct spending or reduce revenue.

23) Rancho Corral de Tierra Golden Gate National Recreation Area Boundary Adjustment Act (S. 941).



This bill modifies the boundary of the Golden Gate National Recreation Area. Assuming appropriation of the necessary amounts, CBO estimates that implementing the legislation would cost the federal government about \$15.5 million over the next 2 years, and about \$200,000 annually thereafter. The bill does not increase direct spending or reduce revenue.

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Budget Week Page 4 24) Grand Teton National Park Land Exchange Act (S. 1105).



This bill authorizes the Secretary of the Interior to acquire about 1,400 acres of State-owned lands within the boundaries of the Grand Teton National Park in Teton County, WY. The Secretary may acquire the land by donation, purchase, or in exchange for other Federal land. CBO estimates that the net change in direct spending will be negligible.

The manager's amendment also includes the text of H.R. 3936, H.R. 3434, and H.R. 3815. H.R. 3936 designates the James V. Hansen Shoshone National Trail on about 337 miles of existing trails within the Wasatch-Cache National Forest and adjacent federal lands located in Utah. The bill directs the Secretary of Agriculture and the Secretary of the Interior to manage the proposed trail for recreational purposes in cooperation with local governments and Utah's Department of Natural Resources. The bill permits the Secretary to acquire privately owned lands and interests from willing sellers and to expand the trail to include other Federal and nonfederal lands. The bill does not increase direct spending or reduce revenue.

H.R. 3434 authorizes the National Park Service [NPS] to acquire the McLoughlin House National Historic Site in Oregon by purchase, donation or exchange. The site, which consists of two historic houses, is currently owned and operated by a nonprofit organization. Upon acquisition, the site will be administered by the NPS as part of the Fort Vancouver National Historic Site. The bill does not increase direct spending or reduce revenue.

H.R. 3815 directs the Secretary of the Interior to conduct a study to determine the suitability and feasibility of designating the William Jefferson Clinton birthplace home in Hope, AR, as a national historic site. The bill requires the Secretary to report findings and recommendations within two years of receiving funding for the study. The bill does not increase direct spending or reduce revenue.

25) Historically Black Colleges and Universities Historic Preservation Amendments Act (H.R. 1606).



This bill authorizes the appropriation of whatever amounts are necessary for grants to preserve and restore certain structures at historically black colleges and universities. Grant recipients would be required to finance 30 percent of each project's cost. CBO estimates the Federal cost to preserve and restore all such historic structures would be \$120 million over 5 years and \$650 million over 10 years. The bill does not increase direct spending or reduce revenue.

26) Recognizing the Historical Significance of 100 years of Korean Immigration to the United States (H.Con.Res. 297).



This resolution has no budgetary implications.

27) Honoring Johnny Unitas and Extending Condolences to His Family on His Passing (H.Res. 538).



This resolution has no budgetary implications.

28) *Francis Dayle `Chick` Hearn Post Office Designation Act* (H.R. 5340). This bill has no budgetary implications.



29) *Augustus F. Hawkins Post Office Building Designation Act* (H.R. 2578). This bill has no budgetary implications.



30) Concurrent Resolution Honoring the Heroism and Courage Displayed by Airline Flight Attendants on a Daily Basis (S.Con.Res. 110).



This bill has no budgetary implications.

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LEGISLATION CONSIDERED UNDER A RULE

Bill: Help Efficient, Accessible, Low Cost, Timely Health [HEALTH] Act

of 2002 (H.R. 4600).

M

Committee: Judiciary

Committee:

Summary: This bill makes changes to the health care liability system, including compensation for

injured patients and other issues arising out of health care lawsuits It requires a suit to be brought within 3 years of the date of injury or 1 year after the claimant discovers or should have discovered the injury, whichever occurs first. The bill establishes requirements and permissible recovery amounts for compensating patient injury and permits the introduction of evidence of collateral source benefits. It limits the availability of punitive damages, and contingency fees, by prohibiting the award of punitive damages for products that comply with Food and Drug Administration [FDA] standards, absent material and knowing misrepresentation of information submitted to the FDA. It excludes suits for vaccine-related death or injury from the requirements of the Act if otherwise covered under the

National Vaccine Injury Compensation Program.

Cost: At the time of publication, a cost estimate was not available. CBO's preliminary estimate,

however, is that implementing H.R. 4600 would have a significant impact on direct spending (greater than \$500,000 a year). CBO also believes that enacting this legislation will reduce overall liability costs, particularly malpractice insurance costs, to insurers and that the reduction in insurer costs will result in a savings for Federal health care programs.

Budget Act: The legislation is not expected to violate the Congressional Budget Act.

Bill: Abortion Non-Discrimination Act of 2002 (H.R. 4691)

Energy and Commerce

Summary: This bill amends the Public Health Service Act to prohibit the Federal Government, and

any State or local government that received Federal financial assistance, from

discriminating against any health care entity because (in addition to current prohibited reasons) the entity refuses to provide coverage of, or pay for, induced abortions. It expands the definition of "health care entity" to include not only physicians, but other health professionals, hospitals, provider sponsored organizations, health maintenance organizations, health insurance plans, and any other kind of health care facility,

organization, or plan.

Cost: At the time of publication, a cost estimate was not available. The Budget Committee does

not believe that enactment of this bill will have an impact on direct spending.

Budget Act: The legislation is not expected to violate the Congressional Budget Act.

Bill: Expressing the Sense of the House of Representatives that Congress Should

Complete action on H.R. 3762, the Pension Security Act of 2002 (H.Res. 540).

Committee: Education and Workforce, Ways and Means, and Financial Services

Summary: This bill states that it is the sense of the House of Representatives that the Senate should

pass the Pension Security Act of 2002 so that the Congress may complete action on the Act. The Pension Security Act of 2002 makes numerous changes to the Employee Retirement Income Security Act of 1974 that would affect the operations of private pension plans. These include new reporting requirements, limitations on certain

investments, modifications in premiums paid to the Pension Benefit Guaranty Corporation, and other changes. CBO estimates that the Act would increase direct spending by \$36

million in 2003 and by \$127 million over the 2003-2007 period.

Cost: This resolution has no significant budgetary implications.

Budget Act: The legislation does not violate the Congressional Budget Act.

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Bill: Making Continuing Appropriations for the Fiscal Year 2003.

Committee: Appropriations

Summary: The text of this measure was unavailable at the time of the preparation of this *Budget*

Week. The bill is necessary because none of the regular appropriations bills for fiscal year

2003 – which begins on 1 October – has been enacted. This measure provides appropriations for Government agencies for an interim period identified in the bill.

Cost: Under congressional procedures, the amount appropriated is "annualized," which makes

the assumption that, though an expiration date is included, the bill extends for the entire year. If the continuing resolution [CR] provides for the "current rate" of Government operation – including fiscal year 2002 emergency spending, as would be the normal practice – the bill will cause nondefense spending to exceed the President's request by \$8.2 billion. If, alternatively, the CR excluded all emergency-designated appropriations, the measure would result in nondefense spending that is \$21.5 billion below the request. Other alternatives, such as excluding the terrorist response supplemental enacted last December, or the one-time costs of recovery assistance to New York City, would cause discretionary spending to come in under the budget resolution, but by smaller amounts.

Budget Act: If the level of the continuing resolution is set at fiscal year 2002 amounts, the annualized

figure would currently not exceed the amount provided for in the fiscal year 2003 budget. This assumes that spending for Defense and Military Construction remains at the 2002 levels rather than the higher amount provided in those two appropriations bills currently in

conference.

Bill: Department of State Authorization Act Conference Report (H.R. 1646).

Summary: This legislation was originally passed by the House on 5 May 2001. The exact details of the conference report were not available at the time of the preparation of this

details of the conference report were not available at the time of the preparation of this Budget Week. The bill that passed last year authorizes appropriations for the Department

of State 2002 and 2003.

Cost: CBO estimates that appropriation of the authorized amounts would result in additional

discretionary spending of \$16.2 billion over the 2002-2006 period. This bill would increase direct spending \$244 million over the 2002-2006 period, but would have no effect on outlays. This is due to the arrearages in UN payments that would be released; these funds were previously appropriated but suspended due to certain requirements in current law that have not yet been met. The bill would also result in receipts from asset sales totaling an estimated \$100 million. CBO estimates that H.R. 1646 would increase governmental receipts (revenues) by an insignificant amount each year by increasing the amount of existing civil penalties and creating new criminal penalties related to export

controls.

Budget Act: Typically CBO estimates are not available for conference reports on legislation as is the

case with this bill. Nevertheless, this conference report is not expected to violate the

Congressional Budget Act.

Prepared by The House Committee on the Budget

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